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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY-DOCKET NO.	CONFIRMATION NO.
09/558,749	04/20/2000	Rian R. Maloney	021768.1087	9040

7590 02/26/2003

Baker Botts L L P
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER
BHATNAGAR, ANAND P

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/558,749	MALONEY, RIAN R.	
	Examiner	Art Unit	
	Anand Bhatnagar	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 December 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Response to Arguments

1. Applicant's amendment filed on 12/05/02 has been entered and made of record.

2. Applicant has amended claims 1,2,11,20,21,29,31,32,41, and 42. Claims 1-55 are pending.

3. Examiner withdraws the 35 U.S.C. 112, second paragraph, rejection on claims 1-50.

4. Applicant's arguments with respect to claim 1,11,20,31, and 41 have been considered but are moot in view of the new ground(s) of rejection. Applicant has amended these claims from "generating a process buffer", which is a hardware configurement, to "generating process buffer data", which is a software configurement, requiring a new search.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,11,20,21,31,32,41, and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Bednar et al. (U.S. patent 5,825,506).

Regarding claims 1,11, and 20: Bednar et al. discloses a method for communicating between a check processing system and a check sorter (fig. 2 elements 60,70, and 80), comprising:

accessing a MICR buffer for the check sorter, the MICR buffer comprising MICR data retrieved from a check (col. 3 lines 60-67 and col. 4 lines 1-5 and 12-18, where a MICR reader reads the information and stores it in a MICR database (fig. 2 element 77) "MICR buffer" and a processing unit uses "accesses" this information and storing this onto another storage space (fig. 2 element 68) "processing buffer" so that a processor can work on it).

generating process buffer data based on the MICR buffer (fig.2 elements 68 and 77, where the data is stored on a storage space (68, processing buffer) for the processor which is based on the data obtained from the MICR database (77, MICR buffer).

receiving a plurality of feature instructions for the check based on the process buffer data (fig. 2 element 64 and col. 3 lines 53-60, where the check operating system (64) is connected to the database as well as the sorters, the operating system contains the instructions for the information in the database and the instructions for the control of the sorters) ; and

communicating the feature instructions to the check sorter for processing of the check (fig. 2 element 64 and col. 3 lines 53-60, where the check operating

system (64) is connected to the database as well as the sorters, the operating system contains the instructions for the information in the database and the instructions for the control of the sorters).

Bednar et al. discloses to have a compatible check operating system with the type and number of sorter(s) used (col. 4 lines 35-60). Bednar et al. further discloses to have software which would make/keep the check operating system synchronized "compatible" to the check sorter (col. 4 lines 35-60). Bednar et al. does not teach that a sorter is noncompatible with the check operating system nor is the operating database "processing buffer" standardized for different types of sorters. This is inherent in the system of Bednar et al. He discloses to have software to keep the information synchronized "compatible" from the sorter to the operating system. Inherently if the sorter is different "non-compatible" from the check operating system there must be a method to make them compatible as well as the information from the sorter database "MICR buffer" with the operating system database "processing buffer".

Regarding claims 31 and 41: They are rejected for the same reason as claims 1,11, and 20. As for the limitation of logic stored on a medium (col. 3 lines 43-50, where there is a host computer with the check operating system stored on it).

Regarding claims 2,21,32, and 42: The method where the standardized process buffer data comprising a format compatible with a check sorter compatible with the check processing (fig. 2 elements 68 and 77, where the two

databases are connected and in communication wherein the information is passed from one database to another signifies that they are compatible with each other).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-10,12-19,22-30,33-40, and 43-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bednar et al. (U.S. patent 5,825,506) and Myers (U.S. patent 5,790,260).

Regarding claims 3,12,22,33, and 43:

Bednar et al. discloses to obtain MICR data from checks. Bednar et al. does not teach to obtain certain information from the checks, such as account information, and perform specific processes on the checks. Myers teaches to obtain certain information, such as account information (Myers; 4 lines 33-35), from checks and perform certain processes on the checks. It would have been obvious for one skilled in the art to combine the teaching of Meyers to that of Bednar et al. because they are analogous in check processing using MICR. One in the art would have motivated to incorporate the teachings of Myers to that of

Bednar et al. to have a system where information is gathered from the checks and digitized copies are sent to the customer, instead of the checks being returned, as well as stored in a memory and also leads to a faster research when there is a need to access the image and lower postage costs (Myers; col. 3 lines 9-23 and 32-36).

Regarding claims 4,13,23,34, and 44: Bednar et al. discloses to obtain MICR data from checks. Bednar et al. does not teach to obtain certain information from the checks and perform specific processes, such as endorsing a check, on the checks. Myers teaches to obtain certain information from the checks and perform certain processes on the checks, such as endorsing the check (Myers col. 4 lines 3-6). It would have been obvious for one skilled in the art to combine the teaching of Meyers to that of Bednar et al. because they are analogous in check processing using MICR. One in the art would have motivated to incorporate the teachings of Myers to that of Bednar et al. to have a system where information is gathered from the checks and digitized copies are sent to the customer, instead of the checks being returned, as well as stored in a memory and also leads to a faster research when there is a need to access the image and lower postage costs (Myers; col. 3 lines 9-23 and 32-36).

Regarding claims 5,14,24,35, and 45: Bednar et al. discloses to obtain MICR data from checks. Bednar et al. does not teach to obtain certain information from the checks and perform specific processes, such as imaging the check and putting it on a microfilm, on the checks. Myers teaches to obtain

certain information from the checks and perform certain processes on the checks, such as imaging the check and putting it on a microfilm (Myers; col. 4 lines 28-30). It would have been obvious for one skilled in the art to combine the teaching of Meyers to that of Bednar et al. because they are analogous in check processing using MICR. One in the art would have motivated to incorporate the teachings of Myers to that of Bednar et al. to have a system where information is gathered from the checks and digitized copies are sent to the customer, instead of the checks being returned, as well as stored in a memory and also leads to a faster research when there is a need to access the image and lower postage costs (Myers; col. 3 lines 9-23 and 32-36).

Regarding claims 6,15,25,36, and 46: Bednar et al. discloses to obtain MICR data from checks. Bednar et al. does not teach to obtain certain information from the checks and perform specific processes, such as taking a digital image, on the checks. Myers teaches to obtain certain information from the checks and perform certain processes on the checks, such as taking a digital image of the check (Myers; col. 4 lines 32-39). It would have been obvious for one skilled in the art to combine the teaching of Meyers to that of Bednar et al. because they are analogous in check processing using MICR. One in the art would have motivated to incorporate the teachings of Myers to that of Bednar et al. to have a system where information is gathered from the checks and digitized copies are sent to the customer, instead of the checks being returned, as well as

stored in a memory and also leads to a faster research when there is a need to access the image and lower postage costs (Myers; col. 3 lines 9-23 and 32-36).

Regarding claims 7,16,26,37, and 47: Bednar et al. discloses to obtain MICR data from checks. Bednar et al. does not teach to obtain certain information from the checks and perform specific processes, such as taking a digital image of the front and back of the checks, on the checks. Myers teaches to obtain certain information from the checks and perform certain processes on the checks, such as taking a digital image of the front and back of the checks, the check (Myers; col. 4 lines 32-39). It would have been obvious for one skilled in the art to combine the teaching of Meyers to that of Bednar et al. because they are analogous in check processing using MICR. One in the art would have motivated to incorporate the teachings of Myers to that of Bednar et al. to have a system where information is gathered from the checks and digitized copies are sent to the customer, instead of the checks being returned, as well as stored in a memory and also leads to a faster research when there is a need to access the image and lower postage costs (Myers; col. 3 lines 9-23 and 32-36).

Regarding claims 8,17,27,38, and 48: Bednar et al . discloses to have the check images as B/W or grey scale (Bednar et al; col. 3 lines 10-19). Bednar et al. further discloses to configure the image representations depending on the resolution required. It is inherent that the image can be in represented in more than one way depending on the resolution wanted as well as the storage space

limits. One inherently may make the system where the image can be B/W, grey scale, and/or color.

Regarding claims 9,18,28,39, and 49: Bednar et al. discloses to obtain MICR data from checks. Neither Bednar et al. nor Myers teach to obtain certain information from the checks and perform specific processes on the checks, such as sorting the checks into pockets. It is well known in the art to sort checks and place them in a specific location/pockets in order to sore them for a certain time period or mail them back to the customers. Official Notice.

Regarding claims 10,19,30,40, and 50: It is rejected for the same reason as claim 1,11, and 20 above for the non-compatibility. Bednar further discloses a check sorter comprising an IBM 3890 or 3890/XP series check sorter (Bednar et al. col. (col. 4 lines 50-55).

Regarding claims 51 and 54: It is rejected for the combination of reasons for claims 1,11, and 20 with claims 7,16,26,37, and 47.

a MICR reader operable to read check information from a check

Regarding claim 52: It is rejected for combination of reasons as claims 51 and 8,17,27,38, and 48 above.

Regarding claim 53: It is rejected for combination of reasons as claims 51 and 8,17,27,38, and 48 above.

Regarding claim 55: It is rejected for the combination of claim 51,52, and 53 above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8. Any inquiry into this communication should be directed to Anand Bhatnagar whose telephone number is 703-306-5914, whose supervisor is Amelia Au whose number is 703-308-6604, group receptionist is 703-305-4700, and group fax is 703-872-9314.

AB

Anand Bhatnagar

Art Unit 2623

February 22, 2003

SAMIR AHMED
PRIMARY EXAMINER